

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

PATRICIA WHEELLES,

Plaintiff,

v.

**NELSON'S ELECTRIC MOTOR
SERVICES, GARY NELSON,
individually and in his official
capacity, LOUISE PARTIKA,
individually and in her official
capacity, and RENEA MORGAN,
individually and in her official
capacity,**

Defendants.

CASE NO. 3:07 CV1006-TFM

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Come now the Defendants, Nelson's Electric Motor Services, Gary Nelson, Louise Partika and Renea Morgan in the above styled cause and pursuant to Fed. R. Civ. P. Rule 56, move this Court to grant summary judgment in favor of Defendants in that there is no genuine issue of material fact to be submitted to the jury and judgment should be entered in their favor as a matter of law as to all of Plaintiff's claim.

In support of this motion, Defendants rely upon the following:

1. All pleadings filed in this matter.
2. Exhibit A through E attached hereto.¹
 - A. Affidavit of Gary Nelson

¹ Although specific page/line and paragraph cites are made as to factual statements made in the supporting brief, Defendants rely on the depositions and affidavits referenced in their entirety and reserve the right to further cite the depositions and/or affidavits as may be necessary to supplement this motion or in reply to any response to this motion by Plaintiff.

- B. Affidavit of Louise Partika
 - C. Affidavit of Renea Morgan
 - D. Affidavit of Ricky Lashley
 - E. Deposition Testimony of Plaintiff, Patricia Wheelles
 - F. EEOC Charge of Discrimination
3. Memorandum Brief submitted herewith.

WHEREFORE, premises considered, the Defendants request summary judgment be granted in their favor as a matter of law.

RESPECTFULLY submitted this the 2nd day of April, 2008.

/s/ William Larkin Radney, III

WILLIAM LARKIN RADNEY, III (RAD001)
Attorney for named Defendants

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2008, I electronically filed the foregoing Defendants' Motion for Summary Judgment and Brief in Support of Motion for Summary Judgment with the Clerk of this Court using the CM/ECF system which will send notification of such filing to the following:

Derrick Blythe
Attorney at Law
126 Marshall Street
Alexander City, Alabama 35010

Respectfully Submitted,

/s/ William Larkin Radney, III

WILLIAM LARKIN RADNEY, III

Attorney for Defendants

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